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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/437,265	11/10/1999	TOSHIHIKO NAKATA	501.37854X00	7750

20457 7590 08/29/2003

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ARLINGTON, VA 22209-9889

EXAMINER

LEE, SHUN K

ART UNIT	PAPER NUMBER
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2878

DATE MAILED: 08/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.



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09/437265

APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO. <sup>H</sup>
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EXAMINER
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ART UNIT	PAPER
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14

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Commissioner for Patents

## DETAILED ACTION

### *Response to Amendment*

1. The reply filed on 16 June 2003 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): the substitute specification fails to comply with 37 CFR 1.125(b)(1). In addition, the reply filed on 16 June 2003 used the revised amendment format. It should be noted that the provisions of 37 CFR 1.121(a), (b), (c), and (d) are waived for amendments to the claims, specification, and drawings in all applications when the amendments comply with the revised amendment format (MPEP § 714). However, the reply filed on 16 June 2003 fails to comply with the revised amendment format for at least the following reasons (see MPEP § 714): (a) each of the sections of an amendment paper must start on a separate sheet; and (b) the drawing changes must be made by presenting replacement figures which incorporate the proposed changes and which comply with 37 CFR 1.84 (while it is noted that pg. 6 indicates that sheets replacing the original drawing sheets were attached, these replacement sheets were not found within the reply filed on 16 June 2003). See also 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

**Conclusion**

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shun Lee whose telephone number is (703) 308-4860. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Porta can be reached on (703) 308-4852. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9318 for regular communications and (703) 872-9319 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

SL  
August 26, 2003

  
CONSTANTINE HANNAHER  
PRIMARY EXAMINER  
GROUP ART UNIT 2878